



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Patent application of:)

Robert M. Davis et al.)

Examiner: Joseph C. Rodriguez)

Serial No.: 10/688,325)

Group Art Unit: 3653)

Filed: October 17, 2003)

Confirmation No.: 3000)

For: *V-Shaped Disc Screen and Method*)
of Classifying Mixed Recyclable)
Materials Into Four Streams)

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION PER 37 CFR 1.321(b)**

MS - AMENDMENT- FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Michael H. Jester, am a registered patent attorney, and I represent CP Manufacturing, Inc., a California corporation, and the owner of all right, title and interest in and to the above-captioned application and the invention claimed therein.

Said CP Manufacturing, Inc. is also the owner of all right, title and interest in and to U.S. Patent No. 6,460,706, granted October 8, 2002 (based on USSN 09/882,667, filed June 15, 2001). An assignment conveying title to said U.S. Patent No. 6,460,706 was recorded in the USPTO on August 20, 2001, at Reel 012088, Frame 0919.

Said CP Manufacturing, Inc. disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,460,706. Said CP Manufacturing, Inc.

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Terminal Disclaimer

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hereby agrees that any patent so granted on the above-captioned application will be enforceable only for and during such period that it and U.S. Patent No. 6,460,706 are commonly owned. This agreement runs with any patent granted on this application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, CP Manufacturing, Inc. does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 6,460,706 as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned represents that he has full authority as the attorney for said CP Manufacturing, Inc. to make this terminal disclaimer on behalf of his client.

A check in the amount of \$65 is transmitted herewith to cover the small entity fee in accordance with 37 CFR 1.20(d).

Oct. 14, 2005
Date

By: Michael H. Jester
Michael H. Jester
Reg. No. 28,022